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ADVANCEMENT OF WOMEN

Convention on the Elimination of All Forms of Discrimination against Women

Report of the Secretary-General

CONTENTS

		Paragraphs	Page
I.	INTRODUCTION	1 - 4	2
II.	STATUS OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN	5 - 6	2

Annexes

I.	List of States that have signed, ratified or acceded to the Convention as at 1 August 1993	4
II.	Reservations made upon ratification from 1 August 1992 to 1 August 1993	8
III.	Objections made from 1 August 1992 to 1 August 1993	11

* A/48/150 and Corr.1.

I. INTRODUCTION

1. The General Assembly, by its resolution 34/180 of 18 December 1979, adopted the Convention on the Elimination of All Forms of Discrimination against Women. In its subsequent resolutions 35/140, 36/131, 37/64, 38/109, 39/130, 40/39, 41/108, 42/60, 42/62, 43/100, 44/73, 45/124 and 47/94, the Assembly urged States that had not yet ratified or acceded to the Convention to do so as soon as possible and requested the Secretary-General to report on the status of the Convention. In its resolution 45/124 of 14 December 1990, the Assembly requested the Secretary-General to submit this report annually.

2. In its resolution 47/94 of 16 December 1992, the Assembly repeated its request for the annual submission of the report on the status of the Convention. The Assembly also requested the Secretary-General to submit to it at its forty-ninth session a report on the implementation of that resolution and to make the report available to the Commission on the Status of Women at its thirty-ninth session.

3. In its resolution 1993/14, the Economic and Social Council supported the request of the Committee on the Elimination of Discrimination against Women for additional meeting time for its future sessions, as allocated to it for its twelfth and thirteenth sessions. The Council welcomed the Committee's suggestion no. 4 on the World Conference on Human Rights and the draft general recommendation with respect to article 16 of the Convention, which the Committee had adopted in substance and had submitted to the Commission on the Status of Women for information. The Council encouraged the Committee to continue its work in developing detailed general recommendations and urged the Secretary-General to continue to widely publicize the decisions and recommendations of the Committee.

4. By the same resolution, the Council, having noted with concern that the Convention is still the human rights instrument with the most reservations, requested States parties to the Convention to review regularly their reservations and make efforts to withdraw them in order to enable the full implementation of the Convention.

II. STATUS OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

5. The Convention was opened for signature in New York on 1 March 1980 and, in accordance with its article 27, entered into force on 3 September 1981.

6. As at 1 August 1993, 125 States had become parties to the Convention, 91 States had ratified it, 32 States had acceded and two had succeeded to it. In addition, nine States had signed it without yet ratifying it. Since the last

progress report (A/47/368), the Czech Republic*, the Gambia, India, the Maldives, Morocco, Namibia, Republic of Croatia, Samoa, Slovakia* and Suriname have become parties to the Convention. The Maldives and Morocco acceded with reservations. No reservations to the Convention were withdrawn during the reporting period. The Government of Sweden objected to the reservations made by the Government of Jordan upon ratification. South Africa has signed the Convention. The complete list of States that have signed and ratified, acceded or succeeded to the Convention, as well as the dates of their signatures and the dates of receipt of the instruments of ratification, accession or succession, is contained in annex I to the present report. Reservations made upon ratification or accession are contained in annex II, and objections to the application of the Convention are contained in annex III to the present report.

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* Before becoming separate States on 1 January 1993 the Czech Republic and Slovakia formed part of Czechoslovakia, which had ratified the Convention on 16 January 1982 and became a State party on 18 March 1982.

ANNEX I

List of States that have signed, ratified or acceded to the Convention as at 1 August 1993

State	Date of signature	Date of receipt of the the instrument of ratification, accession or succession
Afghanistan	14 August 1980	
Angola		17 September 1986 a/
Antigua and Barbuda		1 August 1989 a/
Argentina	17 July 1980	15 July 1985 b/
Australia	17 July 1980	28 July 1983 b/
Austria	17 July 1980	31 March 1982 b/
Bangladesh		6 November 1984 a/, b/
Barbados	24 July 1980	16 October 1980
Belarus	17 July 1980	4 February 1981 c/
Belgium	17 July 1980	10 July 1985 b/
Belize	7 March 1990	16 May 1990
Benin	11 November 1981	12 March 1992
Bhutan	17 July 1980	31 August 1981
Bolivia	30 May 1980	10 May 1990
Brazil	31 March 1981	1 February 1984 b/
Bulgaria	17 July 1980	8 February 1982 b/
Burkina Faso		14 October 1987 a/
Burundi	17 July 1980	9 January 1992
Cambodia	17 October 1980	15 October 1992 a/
Cameroon	6 June 1983	
Canada	17 July 1980	10 December 1981 b/
Cape Verde		5 December 1980 a/
Central African Republic		21 June 1991 a/
Chile	17 July 1980 b/	7 December 1989
China	17 July 1980	4 November 1980 b/
Colombia	17 July 1980	19 January 1982
Congo	29 July 1980	26 July 1982
Costa Rica	17 July 1980	4 April 1986
Cote d'Ivoire	17 July 1980	
Croatia		9 September 1992 d/
Cuba	6 March 1980	17 July 1980 b/
Cyprus		23 July 1985 a/, b/
Czech Republic e/		22 February 1993 d/
Denmark	17 July 1980	21 April 1983
Dominica	15 September 1980	15 September 1980
Dominican Republic	17 July 1980	2 September 1982
Ecuador	17 July 1980	9 November 1981

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State	Date of signature	Date of receipt of the the instrument of ratification, accession or succession
Egypt	16 July 1980	18 September 1981 b/
El Salvador	14 November 1980	19 August 1981 b/
Equatorial Guinea		23 October 1984 a/
Estonia		21 October 1991 a/
Ethiopia	8 July 1980	10 September 1981 b/
Finland	17 July 1980	4 September 1986
France	17 July 1980	14 December 1983 b/, c/
Gabon	17 July 1980	21 January 1983
Gambia	29 July 1980	16 April 1993
Germany	17 July 1980	10 July 1985 b/
Ghana	17 July 1980	2 January 1986
Greece	2 March 1982	7 June 1983
Grenada	17 July 1980	30 August 1990
Guatemala	8 June 1981	12 August 1982
Guinea	17 July 1980	9 August 1982
Guinea-Bissau	17 July 1980	23 August 1985
Guyana	17 July 1980	17 July 1980
Haiti	17 July 1980	20 July 1981
Honduras	11 June 1980	3 March 1983
Hungary	6 June 1980	22 December 1980 b/
Iceland	24 July 1980	18 June 1985
India	30 July 1980 b/	9 July 1993
Indonesia	29 July 1980	13 September 1984 b/
Iraq		13 August 1986 a/, b/
Ireland		23 December 1985 a/, b
Israel	17 July 1980	3 October 1991 b/
Italy	17 July 1980 b/	10 June 1985
Jamaica	17 July 1980	19 October 1984 b/
Japan	17 July 1980	25 June 1985
Jordan	3 December 1980 b/	20 June 1992
Kenya		9 March 1984 a/
Lao People's Democratic Republic	17 July 1980	14 August 1981
Latvia		14 April 1992 a/
Lesotho	17 July 1980	
Liberia		17 July 1984 a/
Libyan Arab Jamahiriya		16 May 1989 a/, b/
Luxembourg	17 July 1980	2 February 1989 b/
Madagascar	17 July 1980	17 March 1989
Maldives		1 June 1993 b/
Malawi		12 March 1987 a/, b/
Mali	5 February 1985	10 September 1985

State	Date of signature	Date of receipt of the the instrument of ratification, accession or succession
Malta		8 March 1991 a/, b/
Mauritius		9 July 1984 a/, b/
Mexico	17 July 1980 b/	23 March 1981
Mongolia	17 July 1980 b/	20 July 1981 b/
Morocco		21 June 1993 b/
Namibia		23 November 1992 a/
Nepal		22 April 1991
Netherlands	17 July 1980	23 July 1991
New Zealand	17 July 1980	10 January 1985 b/, c/
Nicaragua	17 July 1980	27 October 1981
Nigeria	23 April 1984	13 June 1985
Norway	17 July 1980	21 May 1981
Panama	26 June 1980	29 October 1981
Paraguay		6 April 1987 a/
Peru	23 July 1981	13 September 1982
Philippines	15 July 1980	5 August 1981
Poland	29 May 1980	30 July 1980 b/
Portugal	24 April 1980	30 July 1980
Republic of Korea	25 May 1983	27 December 1984 b/
Romania	4 September 1980	7 January 1982 b/
Russian Federation	17 July 1980	23 January 1981 c/
Rwanda	1 May 1980	2 March 1981
Saint Kitts and Nevis		25 April 1985 a/
Saint Lucia		8 October 1982 a/
Saint Vincent and the Grenadines		4 August 1981 a/
Samoa		25 September 1992 a/
Senegal	29 July 1980	5 February 1985
Seychelles		5 May 1992 a/
Sierra Leone	21 September 1988	11 November 1988
Slovakia e/		25 May 1993 d/
Slovenia		6 July 1992
Spain	17 July 1980	5 January 1984 b/
South Africa	29 January 1993	
Sri Lanka	17 July 1980	5 October 1981
Suriname		1 March 1993 a/
Sweden	7 March 1980	2 July 1980
Switzerland	23 January 1987	
Thailand		9 August 1985 a/, b/
Togo		26 September 1983 a/
Trinidad and Tobago	27 June 1985 b/	12 January 1990 b/
Tunisia	24 July 1980	20 September 1985 b/
Turkey		20 December 1985
Uganda	30 July 1980	22 July 1985

State	Date of signature	Date of receipt of the the instrument of ratification, accession or succession
Ukraine	17 July 1980	12 March 1981 c/
United Kingdom of Great Britain and Northern Ireland	22 July 1981 b/	7 April 1986 b/
United Republic of Tanzania	17 July 1980	20 August 1985
United States of America	17 July 1980	
Uruguay	30 March 1981	9 October 1981
Venezuela	17 July 1980	2 May 1983 b/
Viet Nam	29 July 1980	17 February 1982 b/
Yemen		30 May 1984 a/, b/
Yugoslavia	17 July 1980	26 February 1982
Zaire	17 July 1980	17 October 1986
Zambia	17 July 1980	21 June 1985
Zimbabwe		13 May 1991 a/

a/ Accession.

b/ Declarations or reservations.

c/ Reservation subsequently withdrawn.

d/ Succession.

e/ Before becoming separate States on 1 January 1993 the Czech Republic and Slovakia formed part of Czechoslovakia, which had ratified the Convention on 16 January 1982.

ANNEX II

Reservations made upon ratification from 1 August 1992 to 1 August 1993

[Original: English]

[1 June 1993]

Reservation made by the Government of the Republic of Maldives upon accession

The Government of the Republic of Maldives will comply with the provisions of the Convention, except those which the Government may consider contradictory to the principles of the Islamic Shariah upon which the laws and traditions of the Maldives are founded.

Furthermore, the Republic of Maldives does not see itself bound by any provision of the Convention which obliges to change its constitution and laws in any manner.

[Original: French]

[21 June 1993]

Declaration and reservations made by the Government of Morocco upon accession

A. DECLARATIONS

1. With regard to article 2:

"The Government of the Kingdom of Morocco expresses its readiness to apply the provisions of this article provided that:

- "They are without prejudice to the constitution requirements that regulate the rules of succession to the throne of the Kingdom of Morocco;

- "They do not conflict with the provisions of the Islamic Shariah. It should be noted that certain of the provisions contained in the Moroccan Code of Personal Status according women rights that differ from the rights conferred on men may not be infringed upon or abrogated because they derive primarily from the Islamic Shariah, which strives, among its other objections, to strike a balance between the spouses in order to preserve the coherence of family life."

2. With regard to article 15, paragraph 4:

"The Government of the Kingdom of Morocco declares that it can only be bound by the provisions of this paragraph, in particular those relating to the rights of women to choose their residence and domicile, to the extent that they are not incompatible with articles 34 and 36 of the Moroccan Code of Personal Status."

B. RESERVATIONS

1. With regard to article 9, paragraph 2:

"The Government of the Kingdom of Morocco makes a reservation with regard to this article in view of the fact that the Law of Moroccan Nationality permits a child to bear the nationality of its mother only in the cases where it is born to an unknown father, regardless of place of birth, or to a stateless father, when born in Morocco, and it does so in order to guarantee to each child its right to a nationality. Further, a child born in Morocco of a Moroccan mother and a foreign father may acquire the nationality of its mother by declaring, within two years of reaching the age of majority, its desire to acquire that nationality, provided that, on making such declaration, its customary and regular residence is in Morocco."

2. With regard to article 16:

"The Government of the Kingdom of Morocco makes a reservation with regard to the provisions of this article, particularly those relating to the equality of men and women in respect of rights and responsibilities on entry into and at dissolution of marriage. Equality of this kind is considered incompatible with the Islamic Shariah, which guarantees to each of the spouses the rights and responsibilities within a framework of equilibrium and complementarity in order to preserve the sacred bond of matrimony.

"The provisions of the Islamic Shariah oblige the husband to provide a nuptial gift upon marriage and to support his family, while the wife is not required by law to support the family.

"Furthermore, at dissolution of marriage, the husband is obliged to pay maintenance. In contrast, the wife enjoys complete freedom of disposition of her property during the marriage and upon its dissolution without supervision by the husband, the husband having no jurisdiction over his wife's property.

"For these reasons, the Islamic Shariah confers to the right of divorce on a woman only by decision of a Shariah judge."

3. With regard to article 29:

"The Government of the Kingdom of Morocco does not consider itself bound by the first paragraph of this article, which provides that 'Any dispute between two or more States parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration.'

"The Government of the Kingdom of Morocco is of the view that any dispute of this kind can only be referred to arbitration by agreement of all the parties to the dispute".

ANNEX III

Objections made from 1 August 1992 to 1 August 1993

[Original: English]

[5 February 1993]

Objection by Sweden to reservations made by Jordan upon ratification

The Government of Sweden has examined the content of the reservations made by Jordan, by which Jordan states "The Hashemite Kingdom of Jordan ... does not consider itself bound by the provisions of article 9, paragraph 2, article 15, paragraph 4 (a woman's residence and domicile are with her husband), the wording of article 16 (c) (in relation to the rights arising upon the dissolution of a marriage in connection with maintenance and compensation), and article 16 (d) and (g) of the Convention", and has come to the conclusion that they are incompatible with the object and purpose of the Convention (art. 28, para. 2). The Government of Sweden therefore objects to them.

If the reservations were to apply they would inevitably have the effect of discrimination against women on the grounds of sex, which is contrary to everything the Convention stands for.

It should also be borne in mind that the principle of the equal rights of men and women and of non-discrimination on the grounds of sex are set forth in the Charter of the United Nations as one of its purposes, in the Universal Declaration of Human Rights of 1948, and in the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights, both of 1966, to which Jordan is a party. This objection does not constitute an obstacle to the entry into force of the Convention between Sweden and Jordan.